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REMARKS

Claims 1-3, 6-8 and 65-67 remain before the Examiner for reconsideration. Claims 1 and 6 are currently amended. Claim 5 is canceled. Claims 65-67 are newly added. Claims 4, and 9-63 have been withdrawn by the Examiner.

In the Office Action dated December 14, 2004, Applicants' election with traverse of figures 10-11, and 14-16, claims 1-3, and 5-8 in the reply filed on September 13, 2004 was acknowledged by the Examiner. The traversal on the ground(s) that figure 16 should be including in the grouping of figures 10-11 was found by the Examiner to be persuasive. Specifically the Examiner indicated that "Figure 16 has been included in the grouping of figures 10-11."

However, with respect to claims 4 and 9-63, the Examiner asserted that:

Claims 4, 9-63 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on September 13, 2004.

Please note that claims 9-63 have been withdrawn from consideration by the examiner as been drawn to a non-elected species of figures 3-9, and 12-13. Claims 9, 36, and 58 includes an adapter face plate that is not used with figures 10-11, and 16."

Applicants respectfully traverse the Examiners withdrawal of claims 9-29, 34-37, 39-52, 54, 55 and 57-63. As set forth in the Request for Modification of and Response to Election Requirement filed September 13, 2004, claims 1-3, 5-29, 34-37, 39-52, 54, 55 and 57-63 are readable on the species of Figures 10-11 and 14-15. As further set forth in the Request for Modification of and Response to Election Requirement, claims 1-3, 9-29, 35-37 and 41-52 are generic to all the species of the invention.

Applicants respectfully assert that the Examiner is in err in asserting that "claims 9, 36, and 58 include an adapter face plate that is not used with figures 10-11, and 16". In the embodiment of Figures 10-11 and 16, while it is true that the injector in connection with which the piston adapter 320 and syringe adapter 400 are used does

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not include a removable face plate, syringe adapter 400 includes an adapter face plate formed by sleeve 140 and base 402. These components of adapter 400, perform functions similar to that of face plate 120 of syringe adapter 100 with respect to connection of a syringe thereto and Applicants intended the language "face plate", which refers generally to a forward surface of an injector system with which a front-loading syringe can be place in operative connection, to cover all such embodiments. Applicants thus respectfully request that the Examiner, rescind the withdrawal of claims 9-29, 34-37, 39-52, 54, 55 and 57-63, which clearly read on the elected species, and that those claims be examined with claims 1-3 and 5-8 of the present invention.

In the office action, the Examiner further indicated that:

If applicant desires priority under 35 U.S.C. 120 based upon a previously filed application, specific reference to the earlier filed application must be made in the instant application. For benefit claims under 35 U.S.C. 120, 121 or 365(c), the reference must include the relationship (i.e., continuation, divisional, or continuation-in-part) of the applications. This should appear as the first sentence of the specification following the title, preferably as a separate paragraph unless it appears in an application data sheet. The status of nonprovisional parent application(s) (whether patented or abandoned) should also be included. If a parent application has become a patent, the expression 'now Patent No. ' should follow the filing date of the parent application. If a parent application has become abandoned, the expression "now abandoned" should follow the filing date of the parent application.

If the application is a utility or plant application filed under 35 U.S.C. 111(a) on or after November 29, 2000, the specific reference must be submitted during the pendency of the application and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior application. If the application is a utility or plant application which entered the national stage from an international application filed on or after November 29, 2000, after compliance with 35 U.S.C. 371, the specific reference must be submitted during the pendency of the application and within the later of four months from the date on which the national stage commenced under 35 U.S.C. 371(b) or (f) or sixteen months from the filing date of the prior application. See 37 CFR 1.78(a)(2)(ii) and (a)(5)(ii). This time period is not extendable and a failure to submit the reference required by 35 U.S.C. 119(e) and/or 120, where applicable, within this time period is considered a waiver of any benefit of such prior application(s) under 35 U.S.C.

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119(e), 120, 121 and 365(c). A priority claim filed after the required time period may be accepted if it is accompanied by a grantable petition to accept an unintentionally delayed claim for priority under 35 U.S.C. 119(e), 120, 121 and 365(c). The petition must be accompanied by (1) the reference required by 35 U.S.C. 120 or 119(e) and 37 CFR 1.78(a)(2) or (a)(5) to the prior application (unless previously submitted), (2) a surcharge under 37 CFR 1.17(t), and (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(2) or (a)(5) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional. The petition should be addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

It is not clear if the Examiner is asserting that Applicants have not properly claimed priority in this case. However, Applicants respectfully asserts that specific references to the earlier filed applications including the relationship and status of the applications appear in the first sentence of the specification under the heading "Cross Reference to Related Applications", as well as in the Application Data Sheet under the heading "Continuity Data", as well as in the executed Declaration filed on November 7, 2002. Applicants thus respectfully assert that priority has been properly claimed in this case. However, since the filing of the application U.S. Patent Application No. 09/631,422, has issued as U.S. Patent No. 6,676,634. Applicants have amended the Cross Reference to Related Applications in the Amendment to reflect this change in the status of U.S. Patent Application No. 09/631,422.

Claims 1-3, and 5 are rejected by the Examiner under 35 U.S.C. 102(e) "as being anticipated by Yamamoto (US 6,312,410)." Specifically, the Examiner asserted that: "Yamamoto discloses an adapter 100 having the elements as claimed. Without admission that US Patent No. 6,312,410 is prior art for the present application, Applicants respectfully traverse the Examiner's rejection.

Claim 1, as amended, set forths, *inter alia*, that the first connector member, which is adapted to form a connection with the drive piston of the injector, defines a slot having an opening on the side thereof which is mateable with an attachment flange formed on the drive piston. Yamamoto does not disclose or suggest a connector member defining a

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slot having an opening on the side of the connector member which is mateable with an attachment flange formed on the drive piston. To the contrary, Yamamoto describes a piston connector 100 having an oval window part 101b into which a flange 11a of a piston 11 can pass.

Applicants acknowledge the Examiner's indication that:

Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants have added new claims 63-65 which correspond to claims 6-8, wherein claim 65 includes all of the limitation of original claim 6, including the limitations of the base claim and any intervening claim.

In view of the above amendments and remarks, Applicants respectfully request that the Examiner withdraw the rejections of the claims, rescind the withdrawal of claims 9-29, 34-37, 39-52, 54, 55 and 57-63, indicate the allowability of the claims and arrange for an official Notice of Allowance to be issued in due course.

Respectfully submitted,

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By _____

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